



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

MAR 17 2014

Susan Skalski, Forest Supervisor  
Stanislaus National Forest  
Attn: BEH Range  
19777 Greenley Road  
Sonora, CA 95370

Subject: Draft Environmental Impact Statement for the BEH Rangeland  
Allotments Project (CEQ # 20140021)

Dear Ms. Skalski:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Bell Meadow, Eagle Meadow and Herring Creek grazing allotments (BEH) Rangeland Allotments Project, Stanislaus National Forest. Our review is provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

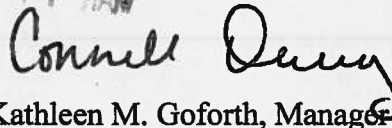
EPA supports the effort to maintain or bring about sustainable, functioning ecological conditions in the Stanislaus National Forest, and implementation of adaptive management strategies. Nevertheless, we are concerned that further resource declines will occur unless additional rangeland management changes are made. EPA recommends consideration of further reductions in grazing where water quality problems exist.

Based upon our review, we have rated the proposed Preferred Action Alternative 1, which would reauthorize livestock grazing in the Summit Ranger District, as *Environmental Concerns-Insufficient Information (EC-2)* due to the potential for further degradation of water quality and habitat for species of concern. See attached "Summary of the EPA Rating Definitions" for a description of the rating. We have identified additional measures to be incorporated into Alternative 1 (including elements of Alternative 4) in order for the preferred action to be more protective of the environment.

EPA is concerned that the preferred action does not go far enough to meet two of the three "Purpose and Need" statements listed in the DEIS. Specifically, EPA is concerned with resource protection needs due to poor conditions. We suggest the FEIS include resource protection measures such as a reduction of the number of acres affected by grazing, reduced stream bank disturbance, and a decrease in livestock access to areas that include habitat for species of concern such as the Yosemite toad and the Sierra Nevada Yellow-Legged Frog. Our detailed comments are enclosed.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy and two CD ROMs to the address above (mail code: ENF-4-2). If you have any questions, please contact James Munson, the lead reviewer for this project, at (415) 972-3852 or [munson.james@epa.gov](mailto:munson.james@epa.gov), or me at (415) 972-3521.

Sincerely,

*For*   
Kathleen M. Goforth, Manager  
Environmental Review Section

**Enclosures:**

Summary of EPA Rating Definitions  
EPA's Detailed Comments

## **SUMMARY OF EPA RATING DEFINITIONS\***

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

### **ENVIRONMENTAL IMPACT OF THE ACTION**

#### ***"LO" (Lack of Objections)***

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### ***"EC" (Environmental Concerns)***

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### ***"EO" (Environmental Objections)***

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### ***"EU" (Environmentally Unsatisfactory)***

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### **ADEQUACY OF THE IMPACT STATEMENT**

#### ***Category "1" (Adequate)***

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### ***Category "2" (Insufficient Information)***

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### ***Category "3" (Inadequate)***

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment

**EPA'S DETAILED COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE BELL MEADOW, EAGLE MEADOW AND HERRING CREEK GRAZING ALLOTMENTS (BEH) RANGELAND ALLOTMENTS PROJECT (PROJECT), STANISLAUS NATIONAL FOREST. (CEQ# 20140021) MARCH 17, 2014**

**Proposed Action (Preferred Alternative 1) Description**

Alternative 1 proposes to improve the ecological condition of the rangelands through expansion of the current rangeland. Theoretically this would more widely distribute adverse impacts thus reducing the level of degradation to currently over stressed resource areas. Alternative 1 would set proper use criteria/utilization for areas to protect species of concern and their habitat.

**Allotment Management Plans (AMP's)**

The Draft Environmental Impact Statement (DEIS), page vii states: "The Stanislaus National Forest proposes to: update Allotment Management Plans, change Allotment boundaries, and implement design criteria, including resource conservation measures and an adaptive management strategy that would move existing resource conditions toward desired conditions".

**Recommendations:**

- The Final Environmental Impact Statement (FEIS) should explain the timing of updates for the AMP's and discuss whether any additional environmental analysis is needed for their development.

**Water Quality**

The DEIS identifies grazing management activity as "detrimental impacts to individuals and habitats" due to harmful effects on water quality and quantity (page: 59). Livestock grazing can directly affect water quality through increased sedimentation, erosion, and nutrient inputs. Indirect effects include a reduction of water quantity, increased water temperatures, and changes in streambed morphology. Nevertheless, the DEIS does not appear to prohibit livestock grazing within the streambed corridors.

**Recommendations:**

- The FEIS should disclose existing and proposed practices that prevent livestock from entering streambed corridors and wetlands associated with seeps and springs (e.g. fencing).
- We recommend the FEIS commit to implementation of management measures that would remove or reduce livestock grazing in areas where water quality problems exist in riparian and stream conditions due to nutrient and sediment loading.
- Clearly state avoidance measures that will be taken to protect already stressed habitat areas currently adversely impacted by grazing.

### Endangered Species and Species of Concern

The DEIS insufficiently evaluates the potential impacts to endangered species such as California red-legged frog and Lahontan cutthroat trout. For example, the document states, "Detailed analysis was not completed for the following species based on the absence of suitable habitat" (page: 47). However, the document falls short of stating why the habitat is unsuitable or if this condition is caused by past grazing. In addition, measures to reduce impacts to endangered species and species of concern should be integrated into the preferred action.

#### Recommendation:

- The FEIS should commit to additional measures to decrease livestock access to areas that include habitat for endangered species and species of concern such as the Yosemite toad and the Sierra Nevada Yellow-Legged Frog.
- The FEIS should include a comprehensive biological survey of the entire project area as well as the streams above and below grazing areas, including a complete review of species that may be affected by the project. The results of consultation with the United States Fish and Wildlife Service and National Oceanic and Atmospheric Administration (NOAA), if appropriate, regarding threatened or endangered species or critical habitat should be included in the FEIS.